

NASHUA CONSERVATION COMMISSION

**Annual Report – FY 2009
(July 1, 2008- June 30, 2009)**

Commission Members:

**Chair
Vice Chair
Clerk
Treasurer
Member (Alternate)
Planning Department Liaison
Aldermanic Liaison**

**Mark Newhall
Peggy Trivilino
Richard Gillespie
Nicholas Frasca
Peter Temperino
Lucy St. John and Chris Sullivan
David MacLaughlin**

Overview:

The mission of the Nashua Conservation Commission (NCC) is to protect Nashua's natural resources per NH RSA Chapter 36-A and the City's Wetland Ordinance. The Commission shall consist of not less than three but not more than seven members. Persons wishing to serve on the Commission should submit a letter of interest to the Mayor's office. The NCC reviews the environmental impacts of proposed activities in the protected wetlands and their buffers through its application process. The Commission inspects, performs studies, evaluates proposals, and makes recommendations on project applications from homeowners, developers, businesses, and City projects. The projects typically involve proposed wetland crossings or requests to perform work in the wetland or wetland buffer. The Commission also monitors and responds to reports of violations such as cutting of trees in the buffer, dumping of trash or yard wastes into the wetlands, and encroachments into the wetland buffer. The Commission serves to promote the protection of the natural resources through educational opportunities while conducting site visit, in correspondence and when meeting with residents regarding a wetlands related issue. The Conservation Commission may also review and comment on applications submitted to state agencies for projects with specific environmental concerns.

The Commission can accept conservation easements and serves to monitor the use and rights granted within these easements. The Commission may also make a recommendation to the Mayor and Board of Alderman regarding the acquisition of lands/easements for conservation purposes. The expenditure of conservation funds is based on a recommendation from the Conservation Commission to the Mayor and Board of Aldermen. This fund was established to enable the City to acquire and conserve additional land for the benefit of Nashua's citizens and to protect the City's natural resources.

The completion of the city's application invokes a detailed review of the property. This includes a presentation of the proposed work to the Commission, a visit to the site, and an in-depth presentation at the meeting. The public is always welcome to attend the meetings. Following detailed discussion of the application, the Commission votes to either accept or reject the proposed work. The wetlands shown on the plan (prime, critical and other) shall be delineated by a State of New Hampshire certified wetland scientist. The Commission often attaches a list of stipulations to be met by the Applicant and may require other mitigation measures to be performed, including appropriate best management practices (BMP) for erosion and sedimentation control during site work, removal and monitoring of invasive species and other details relevant to each project. The Conservation Commission serves in an advisory capacity as it has no regulatory authority. The applicant must also submit an application to the Zoning Board of Adjustment (ZBA) for a special exception. This is often done concurrently, to minimize time and to meet the application deadline requirements. The Conservation Commission provides a written recommendation to the ZBA as to whether the special exception should be granted. In rendering its decision, the Zoning Board of Adjustment shall give due consideration to the recommendation of the Conservation Commission.

The NCC also acts as a steward of the conservation lands and easements granted to the City. This may include a stewardship plan and or monitoring of parcels for compliance with the easement language or other terms of the deed or other appropriate documents related to the parcel. In many instances the conservation lands and easements are shown on subdivision and site plans as proposed or existing features.

Applications Reviewed:

- Review of application impacting the wetland and wetland buffer, including five (5) impacting prime wetlands, four (4) impacting critical wetlands, and two (2) impacting “other” wetlands and for which a special exception was granted by the Zoning Board of Adjustment. Water bodies and wetlands impacted included the Nashua River, Salmon Brook, Lyle Brook and Spit Brook. Properties which were protected under the New Hampshire Comprehensive Shoreland Protection Act (CSPA) were duly noted on the agenda.
- Several city projects including the request to remove a failing stone headwall, install a culvert extension and a new headwall for the property at 36 Holbrook Drive; installing a section of pipe in Lyle Brook near the intersection of Musket Drive to facilitate the existing overflow pipe under Gilson Road; City of Nashua Library walkway improvement and slope stabilization project and the Nashua School District improvements to New Searle’s school.
- Nashua Airport Authority runway expansion and the taxiway separation project for the located on Perimeter Road.
- Non residential and Larger Residential Projects including the redevelopment of Brook Village apartments located at 201 and 301 Brook Village Road; BAE Systems property at 95 Canal Street to fill the northerly portion of the subsurface penstocks; Riverside Properties at 5 Pine Street Extension; and Pennichuck Water Works for a 500 square foot water booster station on Daniel Webster Highway.
- Residential projects including property on Sheffield Lane for the construction of a single-family home; Waterview Trail for the placement of a utility shed; 101 Shore Drive for the placement of a shed; and the Deschenses property at 743 West Hollis regarding the existing dock.

Discussion and Action Items Considered:

- Recognition and thanks to Chairman Mel Meyer who submitted a letter of resignation to attend to personal matters. His commitment and service to the Commission and City was greatly appreciated.
- Review of correspondence from the New Hampshire Department of Environmental Services (NHDES) regarding projects within the city with warrant a variety of state permits including wetland, alteration of terrain, shoreland and dredge and fill permits.
- Maplewood Subdivision thirteen (13) notices of buffer violation issues were mailed with the assistance of the Code Enforcement Department.
- Rotary Park grant application to the NH State Conservation Committee, 2009 Conservation Grant Round was submitted. It included numerous letters of support including one from the Nashua Conservation Commission. The application was not selected for funding.
- The Conservation Commission application form was reviewed and revisions discussion.
- Educational opportunity meeting with land owners on Tenby and Langholm Street.
- Conservation Commission members participated in the interview process and selection of the consultant for the RFP Conservation Land Oversight Services. The Nashua River Watershed Association (NRWA) was selected. NRWA is assisting the city by monitoring conservation lands and easements. This baseline information will assist the commission in the stewardship of these city conservation parcels. Violations and areas warranting attention are duly noted in the progress report being prepared for each conservation parcel.

- The City of Nashua retained the professional consulting services of the Society for the Protection of New Hampshire Forest (SFPNHF) to assist the Conservation Commission in working with landowners to acquire additional conservation parcels to promote the goals and objectives outlined in the Nashua Master Plan 2000.
- Lower Merrimack River Corridor Management Plan, dated May 2008 was presented to the Commission by the Lower Merrimack River Local Advisory Committee (LMRLAC). The purpose of the plan was explained to provide guidance to the communities adjacent to the Lower Merrimack River as they make decisions having the potential to affect the Lower Merrimack watershed the river corridor and the river itself.
- The Northwest Conservation Land was purchased with funds from various sources including the State LCHIP program. A stipulation of the funding requires that a report be prepared each year on the condition of the land and that the boundaries of the land be walked to identify any incursions or violations. The Commission walked the boundary in early December and the report has been sent to the State.

Continuing Education:

NCC members may attend the New Hampshire Association of Conservation Commissioners annual meeting and education sessions in November of each year. In addition, members of the Commission may attend a variety of environmentally oriented workshops and training sessions throughout the year. Newsletter and other informational resources are routinely provided to the members.